

May 4, 2006

RE: UNITED STATES v. FRANK BATTAGLIA a/k/a "Fat Frank," CHRISTOPHER COOK, KRISTOPHER D. OSBURN a/k/a "Bigg," DEKIAH R. WHITFIELD a/k/a "Kia," ANTHONY ALBERT , DAMIEN HESS, PETER GAGLIANO, ANGELA BUTERA a/k/a "Angie," KEITH A. CRAMER, FRANK SARAGO, WILLIAM PETERS, EDWARD SNIEZAK, LEELAND COLEMAN, NICHOLAS BEVELOCK

United States Attorney Terrance P. Flynn and Erie County District Attorney Frank Clark announced today the unsealing of a federal criminal complaint, against **FRANK BATTAGLIA a/k/a "Fat Frank," CHRISTOPHER COOK, KRISTOPHER D. OSBURN a/k/a "Bigg," DEKIAH R. WHITFIELD a/k/a "Kia," ANTHONY ALBERT, DAMIEN HESS, PETER GAGLIANO, ANGELA BUTERA a/k/a "Angie," KEITH A. CRAMER, FRANK SARAGO, WILLIAM PETERS, EDWARD SNIEZAK, LEELAND COLEMAN, and NICHOLAS BEVELOCK.** Addresses of defendants are listed in the attachment. The criminal complaint charges FRANK BATTAGLIA with engaging in a Continuing Criminal Enterprise in that by committing violations of Title 21, United States Code, Sections 841(a)(1), 843(b) and 846, which violations were part of a continuing series of violations of said statutes undertaken by the defendant, in concert with five or more other persons, known and unknown, with respect to whom defendant, FRANK BATTAGLIA, occupied a position of organizer, supervisor and manager, and from which continuing series of violations defendant obtained substantial income and resources; and did knowingly and unlawfully employ or use a minor in the above-mentioned drug operations, in violation of Title 21, United States Code, Sections 848(a) and 861. A violation of Title 21, United States Code, Section 848, carried a mandatory minimum term of imprisonment of not less than twenty years and up to a maximum of life imprisonment, a fine of \$2,000,000.00, or both. A violation of Title 21, United States Code, Section 861, carries a mandatory minimum term of imprisonment of not less than 20 years and up to a maximum of life imprisonment, a fine of \$2,000,000, or both.

It should be noted that the fact that a defendant has been charged with a crime . . . is merely an accusation and the defendant is presumed innocent until and unless proven guilty. (**Disciplinary Rule 7-107(B)(6)**).

The criminal complaint charges the remaining 14 defendants, along with BATTAGLIA, with knowingly, willfully and unlawfully combining, conspiring and agreeing with others, known and unknown, to possess with intent to distribute and distribute cocaine and cocaine base, Schedule II controlled substances, and marijuana, a Schedule I controlled substance, and did use a communication facility to commit, cause and facilitate the commission of the offenses listed above in violation of Title 21, United States Code, Sections 841(a)(1), 843(b) and 846, carrying a mandatory minimum term of imprisonment of not less than 10 years and up to a maximum of life imprisonment, a fine of \$4,000,000, or both.

U.S. Attorney Flynn stated that the charges are a result of a joint investigation by federal, state and local law enforcement under the umbrella of Operation Iron Island which focused on BATTAGLIA's drug dealing in the Lovejoy, Sloan and South Buffalo sections of the City of Buffalo. The complaint charges the defendant BATTALGIA and his cohorts engaged in the sale of cocaine, crack-cocaine and marijuana primarily, but not exclusively, in these sections of the City of Buffalo. The complaint charges certain individuals who resided on the East Side of Buffalo with supplying BATTAGLIA and his cohorts with cocaine, crack and marijuana for re-distribution in these areas. Additionally, search warrants were executed at 15 locations and 2 cars were seized.

U.S. Attorney Flynn emphasized that today marks the beginning of a multi-agency law enforcement effort to target violent offenders and remove them from the streets. Members of the Erie County District Attorney's Office, U.S. Attorney's Office and the Buffalo Police Department have worked together in obtaining two state wire tap orders. Both prosecutors' offices have agreed that federal prosecutions will be utilized, when appropriate, or when federal penalties are more stringent than state offenses as exemplified in the prosecution announced today.

The arrests were the culmination of an investigation on the part of the Drug Enforcement Administration, under the direction of Nancy M. Cote', the Buffalo Police

Department, under the direction of Commissioner H. McCarthy Gipson, the New York State Police, under the direction of Major Michael Manning, the U.S. Marshals Service under the direction of U.S. Marshal Peter Lawrence, Cheektowaga Police Department, West Seneca Police Department, and the Bureau of Alcohol, Tobacco, Firearms and Explosives, under the direction of Resident Agent in Charge David DeJoe, and the New York State Division of Parole, under the direction of Tim Wolcott.

The federal prosecution announced today will be handled by Mary Clare Kane, Assistant United States Attorney. Cases designated for state prosecution will be handled by Glenn Pincus and Daniel M. Killelea, Assistant District Attorneys for the Office of the Erie County District Attorney, Frank. J. Clark.

Arraignments are scheduled for today at 3:00 p.m. before Magistrate Judge Hugh B. Scott.

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USA v. BATTAGLIA, 06-M-2099

Names and Addresses of Defendants:

FRANK BATTAGLIA, 259 Willet Street, Buffalo, New York,

CHRISTOPHER COOK, 29 Benwood Avenue, Buffalo New York

DEKIAH WHITFIELD, 422 Moselle Avenue, Buffalo, New York

ANTHONY ALBERT, 130 Moselle Street, Buffalo, New York

FRANK SARAGO, 308 Benzinger Street, Buffalo, New York

KRISTOPHER OSBURN, 1160 East Lovejoy Street, Buffalo, New York

DAMIEN HESS, 58 Ideal Street, Buffalo, New York

ANGELA BUTERA, 335 Dingens Street, Buffalo, New York

KEITH CRAMER, 162 Center Street, Lackawanna, New York

NICHOLAS BEVELOCK, 221 Davey Street, Buffalo, New York

LEELAND COLEMAN, 117 Moselle Street, Buffalo, New York

WILLIAM PETERS, 131 Goethe Street, Buffalo, New York

EDWARD SNIEZAK, 15 Mt Vernon, Cheektowaga, New York

PETER GAGLIANO, 233 Schiller Street, Buffalo, New York